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AN ACT

RELATING TO INSURANCE; EXTENDING A SURCHARGE ON CERTAIN FEES;  
AUTHORIZING THE NEW MEXICO FINANCE AUTHORITY TO ISSUE BONDS  
FOR THE PURPOSE OF FINANCING INFORMATION AND COMMUNICATION  
EQUIPMENT; MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 59A-6-1.1 NMSA 1978 (being Laws  
1996, Chapter 6, Section 1) is amended to read:

"59A-6-1.1. SURCHARGE IMPOSED--APPROPRIATION.--A  
three-dollar (\$3.00) surcharge shall be assessed for the  
period beginning March 1, 1996 and ending June 30, 2009 on  
the annual continuation of appointment fees imposed in  
Subsections E, F, N, S, W and X of Section 59A-6-1 NMSA 1978.  
The surcharge collected shall be distributed monthly to the  
New Mexico finance authority to be pledged irrevocably for  
the payment of principal, interest and any other expenses or  
obligations related to the bonds issued by the authority to  
finance information and communication equipment, including  
computer hardware and software, for the insurance division."

Section 2. Laws 1996, Chapter 6, Section 3, as amended  
by Laws 2003, Chapter 306, Section 8, is amended to read:

"NEW MEXICO FINANCE AUTHORITY REVENUE BONDS--PURPOSE--  
APPROPRIATION.--

A. The New Mexico finance authority may issue and

1 sell revenue bonds in compliance with the New Mexico Finance  
2 Authority Act in installments or at one time in an amount not  
3 exceeding one million dollars (\$1,000,000) for the purpose of  
4 financing information and communication equipment, including  
5 computer hardware and software, for the insurance division of  
6 the public regulation commission.

7 B. In addition to the bonds issued pursuant to  
8 Subsection A of this section, the New Mexico finance  
9 authority may issue and sell revenue bonds in compliance with  
10 the New Mexico Finance Authority Act in installments or at  
11 one time in an amount not exceeding an additional one million  
12 dollars (\$1,000,000) for the purpose of financing information  
13 and communication equipment, including computer hardware and  
14 software, for the insurance division of the public regulation  
15 commission.

16 C. The New Mexico finance authority may issue and  
17 sell revenue bonds authorized by this section when the  
18 superintendent of insurance certifies the need to issue the  
19 bonds. The net proceeds from the sale of the bonds are  
20 appropriated to the insurance division for the purposes  
21 described in Subsections A and B of this section.

22 D. The proceeds from the surcharge imposed  
23 pursuant to Section 59A-6-1.1 NMSA 1978 shall be distributed  
24 monthly to the New Mexico finance authority to be pledged  
25 irrevocably for the payment of the principal, interest and

1 any other expenses or obligations related to the bonds.

2 E. The surcharge proceeds distributed to the New  
3 Mexico finance authority shall be deposited in a separate  
4 fund or account of the authority. At the end of each fiscal  
5 year, any money remaining in the separate fund or account  
6 from distributions made to the authority during that fiscal  
7 year, after all principal, interest and any other expenses or  
8 obligations related to the bonds in that fiscal year are  
9 fully paid, may be appropriated by the legislature to the  
10 insurance division for acquisition, maintenance and operation  
11 of information and communication equipment, including  
12 computer hardware, software, systems planning, deployment and  
13 training. Upon payment of all principal, interest and any  
14 other expenses or obligations related to the bonds, the  
15 authority shall certify to the insurance division that all  
16 obligations for the bonds issued pursuant to this section  
17 have been fully discharged and direct the division to cease  
18 distributing money pursuant to Section 59A-6-1.1 NMSA 1978 to  
19 the authority.

20 F. Any law authorizing the imposition or  
21 distribution of the surcharge or that affects the surcharge  
22 shall not be amended, repealed or otherwise directly or  
23 indirectly modified to impair any outstanding revenue bonds  
24 that may be secured by a pledge of the surcharge collections,  
25 unless the revenue bonds have been discharged in full or

